

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

The parties have stipulated that the plaintiff shall be awarded an attorney fee of \$500.00 with regard to the court's order of May 26, 2005, filing 38, and further, that plaintiff would withdraw his application for fees, filing 43. The court approves and adopts the parties' agreement.

IT THEREFORE HEREBY IS ORDERED,

1. Plaintiff is awarded \$500.00 in connection with the court's order of May 26, 2005 granting plaintiff's motion to compel.

2. The clerk shall make this award a part of any judgment entered in this case, unless the parties file a statement advising the clerk that this award has, in fact, been paid, accompanied by written evidence of payment.

3. Plaintiff's application for fees and expenses, filing
43, is denied as moot

DATED this 14th day of June, 2005.

BY THE COURT:

s/ *David L. Piester*

David L. Piester
United States Magistrate Judge